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MAY 26 2009

May 22, 2009

Ramon Lopez, Chief
Civil Rights Bureau
Department of Social Services
744 P Street, MS 15-70
Sacramento, CA 95814

Dear Mr. Lopez

The information attached is Orange County Social Services Agency's response to the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) final report dated March 24, 2009 which includes actions taken and planned. The report is a result of the review conducted August 11 – 15, 2008 that assessed Orange County Social Services Agency's compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations and other applicable State and Federal civil rights laws.

Thank you for the opportunity to comment and we understand that our response may be distributed in accordance with the Public Records Act. If you have any questions or need additional information, please contact Patricia Figueredo, Civil Rights Coordinator at (714) 628-8668.

Sincerely,

Ingrid Harita
Director

/jb

Attachment

cc:

Michael Riley, Chief Deputy Director
David Kurtz, Senior Program Manager II Strategic Planning
Patricia Figueredo, Civil Rights Coordinator

Division 21 Element: Facility Accessibility for Individuals with Disabilities

CDSS CRB Findings:	Corrective Action
<p>Facility Location: 2330 Moulton Pkwy</p> <p><u>Parking:</u></p> <p>2 Van accessible identified spots, closest to building do not have van accessible signs. Said spaces shall have "Van-accessible" sign mounted below the symbol of accessibility. (CA T24 1129B.5, ADA 4.6.4) p133</p> <p><u>Route to Main Door:</u></p> <p>Right and left pathway ramps from van accessible parking spots are 47" wide instead of 48". Walks and sidewalks should subject to these regulations should have a continuous surface, not interrupted by steps or by abrupt changes in grade and shall be a minimum of 48" in width. (CA T 24 1133B.7.1) p160</p>	<p><u>Orange County Social Services Agency Response:</u></p> <p>Concur with findings and plan to take action to correct.</p> <p>Do not concur with findings as section, CA T 24 1133B.7.1- Walks and Sidewalks, describes there is an exception reading as follows: "When, because of right of way restrictions, natural barriers or other existing conditions, the enforcing agency determines that compliance with the 48 inch clear sidewalk width would create an unreasonable hardship, the clear width may be reduced to 36 inches." SSA recently repaired this pathway and it is off by an inch, as such the exception criterion is applicable since the suggested remedy would be cost prohibitive. Further, the walkway in question can be easily accessible and utilized by someone in a wheelchair or other device.</p>
<p>Facility Location: 115 Columbia, Aliso Viejo</p> <p><u>Parking:</u></p> <p>Sign height shall be at 80" minimum from bottom of sign to top of finish grade. Freestanding sign measured 75". (CA T24 1129B.5, ADA4.6.5) p.133</p> <p><u>Client Lobby:</u></p> <p>Various informational and directional signs were not in threshold language. (Div. 21.107-212)</p>	<p><u>Orange County Social Services Agency Response:</u></p> <p>Concur corrective action will be taken to repair</p> <p>SSA will evaluate existing instructional and directional signs in client areas to determine which signage would benefit from additional translation. Based on this evaluation, remediation will be addressed as budgetary constraints allow.</p>

Facility Location: 1505 E Warner,
Santa Ana

Parking:

A clearance access aisle on passenger side of van space is blocked by building structural column. One in every eight accessible spaces shall be served with 96" wide minimum placed opposite driver's side and be designated Van Accessible. (CA T24 1129B.4.2, ADA 4.1.2(5)(b)) p.135

Signage on pavement depicting a wheelchair with occupant needs to be repainted. (CA T24 1129B.5.1 & 2) p.133

Route to Main Door:

Two bushes need to be cut back from the building to eliminate obstruction of travel. Walkway minimum width is 48". (CA T 24 1133B.7.1)

Ramp leading to the front of building needs to have railings on each side. Railings were not available on left side going up the ramp. (CA T 24 1133B.5.5.1, ADA4.8.5)

Main or Alternate Entrance:

Need directional sign directing clients the main entrance from the furthest location in the parking lot structure. (CA T 24 1127B.3, ADA 4.1.3(16B), CA T 24 1117B.5.8.1.2) pp 183, 353

Force to open doors excessive at 11lbs.(left door) and 12lbs. (right door) they should be at 5lbs. maximum. (CA T 24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195

Directional and Informational Signage:

Various Informational and directional signs

Orange County Social Services Agency Response:

Do not concur. The pathway is accessible, and to enhance it would be a financial hardship for Orange County.

Concur corrective action will be taken to repair

Concur corrective action will be taken to repair

Concur corrective action will be taken to repair

Do not concur, we feel that path of travel is indicated by blue stripping on ground.

Do not Concur as the door being referenced is a power assisted door.

SSA will evaluate existing instructional and directional signs in client areas to determine

were not in threshold language. (Div. 21.107-212)

Men's restroom:

Men's restroom door at 7 lbs. and should be at maximum 5lbs. (CA T 24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195

Women's restroom:

Women's restroom door at 8 lbs. and should be at maximum 5lbs. (CA T 24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195

which signage would benefit from additional translation. Based on this evaluation, remediation will be addressed as budgetary constraints allow.

Additionally it was pointed out at the time of review that our business operations at this facility do not create even a moderate client traffic flow, as it is our practice to go out to see the clients at their home or facility.

Concur, door pressure adjusted as required. Pressure will be routinely checked and necessary adjustments made.

Concur, door pressure adjusted as required. Pressure will be routinely checked and necessary adjustments made.

Facility Location: 1337 W Braden Court, Orange

Parking:

Free standing sign should be at 80" and it measured at 59". (CA T24 1129B.5, ADA4.6.5) p.133

Signage on pavement depicting a wheelchair with occupant needs to be repainted. (CA T24 1129B.5.1 & 2) p.133

Main or Alternate Entrance:

Accessible disabled signage sign on door needs to be replaced. (CA T24 1127B.3, ADA 4.1.3 (16B), CA T24 1117B.5.8.1.2) pp.183, 353

Force to open doors excessive, measured at 9lb. (on left door) and 10lbs. (on right door) both should be at maximum 5 lbs. (CA T 24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195

Parent Conference force to open door measured 8lbs. should be at maximum 5 lbs.

Orange County Social Services Agency Response:

Concur, and will ensure new facility location will make note of these findings and plan accordingly. The lease for the facility visited is scheduled to end 9/30/09 and SSA is evaluating relocation of the programs at this facility.

Division 21 Element: Dissemination of Information	
<i>CDSS CRB Findings:</i>	<i>Corrective Action</i>
<p><u>Access to Services, Information and Outreach</u></p> <ul style="list-style-type: none"> Extended hours to accommodate clients. Comments indicates applications accepted until 3:00PM at Moulton, CHIP, and Columbia Ensuring the awareness of available services for individual in remote areas. Comments indicate Moulton does not and all other offices provided internet, brochures at health fairs, and other public venues <p><u>Signage, posters, pamphlets</u></p> <ul style="list-style-type: none"> All offices had PUB 13 in threshold languages, but not all 14 languages were available. Moulton, Warner, Braden Court and CHIP- All signs not in threshold languages 	<p>Upon request for emergency assistance of benefits applications are accepted until 5:00PM. Applications for benefits are also made available and received until 5:00PM</p> <p>Resources described are available equally for all of our offices. This includes and is not limited to resources described such as internet, brochures at health fairs, and other public venues</p> <p>Concur and completed 8/2008 immediately while Civil Rights analyst was present.</p> <p>SSA will evaluate existing instructional and directional signs in client areas to determine which signage would benefit from additional translation. Based on this evaluation, remediation will be addressed as budgetary constraints allow.</p>
Division 21 Informational Element	
CDSS Directional Signage:	
<p><u>CDSS Corrective Action Required:</u></p> <p>Orange County shall ensure that instructional and directional signs are posted in waiting areas and other places that where such areas are frequented by a substantial number of non-English speaking clients, such signage shall be translated into appropriate languages.</p>	<p><u>Orange County Social Services Agency response:</u></p> <p>SSA will evaluate existing instructional and directional signs in client areas to determine which signage would benefit from additional translation. Based on this evaluation, remediation will be addressed as budgetary constraints allow.</p>

(CA T 24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195

Directional and informational Signage:

Numerous informational and directional signs not in threshold language. (Div. 21.107-212)

Men's restroom:

Men's restroom door at 7 lbs. and should be at maximum 5lbs. (CA T 24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195

Toilet protector height is too high at 43.5" maximum height should be at 40". (CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269

Toilet Tissue dispenser is 23" from the front edge of the toilet, it should be within 12" of the edge of the toilet.(CA-ACRM 1115B.9.3) pp. 275,269

Women's restroom:

Men's restroom door at 6 lbs. and should be at maximum 5lbs. (CA T 24 1133B.2.5, ADA 4.13.11(2)(b)) p. 195

Toilet protector height is too high at 43" maximum height should be at 40". (CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269

Toilet Tissue dispenser is 19" from the front edge of the toilet, it should be within 12" of the edge of the toilet.(CA-ACRM 1115B.9.3) pp. 275,269

Facility Location: 6100 Chip Ave., Cypress

Parking:

Two free standing signs should be at 80" and it measured at 77". (CA T24 1129B.5, ADA4.6.5) p.133

Orange County Social Services Agency Response:

Concur, and will ensure new facility location will make note of these findings and plan accordingly. The lease for the facility visited is scheduled to end 9/30/09 and SSA is evaluating relocation of the programs at this facility.

Orange County Social Services Agency Response:

Concur and corrective action will be taken to repair.

<p>Two existing parking spaces force persons with disabilities to go behind cars to reach the front entry contrary to regulation. (CA T24 1129B.4.3) (hardship exception, p. 136)</p> <p>Parking spots on the side of the building are not located as close as possible to entrance. (CA T 24 1129B.1.2, ADA4.3.2(1)) p. 131</p> <p><u>Directional and Informational Signage:</u></p> <p>Numerous informational and directional signs not in threshold language. (Div. 21.107-212)</p>	<p>Concur. However our county would like to claim a financial hardship to address at this time.</p> <p>Concur. However our county would like to claim a financial hardship to address at this time.</p> <p>SSA will evaluate existing instructional and directional signs in client areas to determine which signage would benefit from additional translation. Based on this evaluation, remediation will be addressed as budgetary constraints allow.</p>
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Division 21 Element: Provisions for Services to Applicants and Recipients who are Non-English Speaking or who have Disabilities	
<i>CDSS CRB Findings</i>	<i>Corrective Action</i>
<p>It was noted that Orange County uses an online stamp that identifies language preference. It was also noted that at CHIP form F063-02-12 was used.</p> <p>Programs: CalWORKs and Food Stamps</p> <p>Div. 21-115.2</p>	<p><u>Orange County Social Services Agency Response:</u></p> <p>Concur, SSA Administrative Policy and Procedure Civil Rights and Nondiscrimination will be revised to include documentation requirements in CalWIN automated systems.</p>
<p>Staff was unaware of a county policy regarding allowing minors to be interpreters. Most however are informed not to allow anyone under 18 to be used as an interpreter.</p> <p>Programs: CalWORKs and Food Stamps</p> <p>Div. 21-115.2</p>	<p><u>Orange County Social Services Agency Response:</u></p> <p>Concur, reminder was provided at CalWORKs and Food Stamp Program Meetings. ACL 08-65 (December 31, 2008) was reviewed which had minor interpreter as an item discussed.</p>
<p>It was pointed out that CHIP and Columbia do not consistently use the following CDSS translated forms:</p> <ul style="list-style-type: none"> • Columbia was not consistently using: 	<p><u>Orange County Social Services Agency Response:</u></p>

<ul style="list-style-type: none"> ○ QR 377.4, DFA 377.5, TEMP NA 1232, QR 377.1 AND QR2. • CHIP was not consistently using: <ul style="list-style-type: none"> ○ QR2, QR377.1, TEMP2215, CW2.1, M40-17 <p>Programs: CalWORKs and Food Stamps</p> <p>Div. 21-115.2</p>	<p>Concur, reminder will be provided at CalWORKs, Medi-CAL and Food Stamp Program Meetings.</p>
<p>Written Materials: Orange County must use and provide translated notice of action forms, in the clients' primary language when translated by CDSS.</p> <p>Programs: CalWORKs and Food Stamps</p> <p>Div. 21-115.2</p>	<p><u>Orange County Social Services Agency Response:</u></p> <p>Concur, reminder will be provided at CalWORKs, Medi-CAL and Food Stamp Program Meetings.</p>

Division 21 Element: Documentation of Applicant/Recipient Case Records	
CDSS CRB Findings	Corrective Action
<p>No consistent documentation of the method used to provide bilingual services.</p> <p>Programs: CFS, CalWORKs/Public Assistance Food Stamps (PAFS)</p> <p>Div. 21-116.22</p>	<p><u>Orange County Social Services Agency Response:</u></p> <p>Concur, reminder was provided at Program Meetings. ACL 08-65 (December 31, 2008) was reviewed which had minor interpreter as an item discussed.</p>
<p>Documentation if clients provide their own interpreter.</p> <p>Programs: CFS –Moulton, CalWORKs, and Food Stamps</p> <p>Div. 21-116.23</p>	<p><u>Orange County Social Services Agency Response:</u></p> <p>Concur, reminder was provided at Program Meetings. ACL 08-65 (December 31, 2008) was reviewed which had minor interpreter as an item discussed.</p>
Division 21 Staff Development and Training	
CDSS CRB Findings	Corrective Action
<p>None required</p>	<p>N/A</p>